

AS

coupling said Z-shaped bracket to said front panel.

REMARKS

The Applicants' undersigned attorney thanks the Examiner for a kind and thorough review of the Application. In the Office Action, the Examiner has rejected claims 3, 4, and 13; has allowed claims 1, 2, and 5 - 12; and has objected to claims 14 - 20. The Examiner has also objected to declaration, the specification, and to the drawings. The Applicants' undersigned attorney respectfully asserts that all of these objections and rejections have been addressed by the following response.

In the Office Action, the Examiner indicated that the Declaration and Power of Attorney was illegible and had portions of it "cut-off". Please find the enclosed copy of the Declaration and Power of Attorney which was filed electronically with the above-referenced patent application.

The Examiner objected to the drawings because they lack the features provided in the claims. Particularly, the Examiner indicated that the "end cap member (122) coupled to the opposed side surface (106) of claim 3" needs to be shown in the drawings. The Applicants' undersigned attorney respectfully asserts that claim 3 includes the limitation that the end cap member (122) is coupled to one of the two opposed side surfaces (e.g., surfaces 106 or 104, but not both). Figure 2 as drafted shows the member 122 coupled to only one of the opposed side surfaces (104).

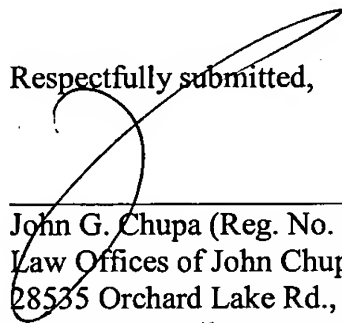
With respect to the Examiner's objection to the drawings as not depicting the features of claims 8, 13, 14, and 18, please find the enclosed proposed drawing corrections. The Applicants' undersigned attorney asserts that none of the proposed

drawing corrections add any new matter to the Application. Namely, the references to a "not shown" vehicle frame member has been amended in the drawing and specification to reflect the addition of a portion of the frame in Figure 3 having a reference number 191. Further, claim 20 has been cancelled by the Applicants.

Lastly, the Applicants' undersigned attorney has amended the claims to reflect the Examiner's suggestions to overcome any objections/informalities to these claims. With respect to the Examiner's §112, second paragraph, rejection of claims 3 and 4, the Applicants' undersigned attorney respectfully asserts that the correction made to claim 3 to overcome the Examiner's objection also overcomes the Examiner's rejections of this claim. Rejected claim 13 has been cancelled while allowable claim 14 has been amended into an independent claim having all of the limitations of base claim 13.

For all of the above stated reasons, the Applicants' undersigned attorney respectfully asserts that the pending Application overcomes the Examiner's rejections and that the pending claims are in condition suitable for allowance. Such allowance is respectfully requested. If the Examiner has any further questions regarding this matter, please feel free to call the Applicants' undersigned attorney at (248) 324-7787.

Respectfully submitted,



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"MARKED UP" VERSIONS OF AMENDED SPECIFICATION PARAGRAPHS

Marked up version of paragraph 15 of the specification

To further understand the principles of the present invention, reference is now additionally made to Figures 2-4. Particularly, as best shown in Figure 4, each of the substantially identical reception members 38 - 44 includes a first portion 50 which forms a reception pocket 52. Particularly, each portion 50 has an axis of symmetry 54 which is substantially parallel to the plane 56 which contains each of the raised beads 118 of one of the corrugated side walls 14, 16. Each member 38 - 44 also has a second stem portion 62 which forms an acute angle 64 with the respective first portion 50 and with the axis of symmetry 54. The portions 50 and 62 of each of the members 38 - 44 are coupled to a unique one of the side walls 14, 16 and when the second stem portion 62 of a member 38 - 44 is selectively coupled to one of the side walls 14, 16, the pocket portion 52 of that member 38 - 44 projects away from the one side wall 14, 16. As best shown in Figure 1, reception members 38, 44 are operatively placed on the side wall 16 while reception members 40, 42 are operatively placed upon the side wall 14 by the use of respective bolts 72, 74, 76 (or other securing mechanisms or devices). It should be appreciated that the respective bolts 72, 74, 76 of the member 38 are respectively aligned with the respective bolts 72, 74, 76 of the member 40, thereby causing reception members 38, 40 to be substantially aligned. Further, the respective bolts 72, 74, and 76 of the member 44 are aligned with the respective bolts 72, 74, 76 of the member 42, thereby causing reception members 42 and 44 to be aligned. In this manner, the aligned members 42, 44 cooperatively allow a member, such as member 80, to be securely positioned across the width 82 of the formed vehicular bed assembly 10 and members 38, 40 cooperatively

allow a member, such as member 90, to be securely positioned across the width 82 of the vehicular bed 10. That is, in one non-limiting embodiment, a generally planar member 80 may be supportively received within the respective reception pocket portions 52 of the members 42, 44 and a generally planar member 90 may be received within the respective reception pocket portions 52 of the members 38, 40. In this non-limiting embodiment, a single and generally flat sheet of material (not shown), such as but not limited to a sheet of plywood, may be placed upon these deployed members 80, 90, thereby forming a raised storage platform. In one non-limiting embodiment, this sheet or generally flat member (not shown) may be secured to these deployed members 80, 90. In this manner, a second or lower storage bed or platform is formed between the platform and the exposed or top surface of the floor [panel] pan 18 of the vehicular bed assembly 10. In the preferred embodiment of the invention members 38, 40 are positioned between front wall 20 and the pair of wheel wells 47, 49 while members 42, 44 are positioned between the tailgate 21 and the pair of wheel wells 47, 49, thereby allowing the sheet of material (not shown) to securely overlay substantially the entire floor pan 18. Different amounts of members 38 - 44 may be employed in other non-limiting embodiments.

Marked up version of paragraph 18 of the specification

As best shown in Figures 2 and 3, the vehicular bed assembly 10 further includes a generally "Z" shaped member 180 having a first wall 182 and a second wall 184 which cooperatively form [a] the floor pan 18 and a [front wall 20] mounting portion 186 for the front wall 20 which is selectively attached to the corrugated floor pan 18 and the front wall 20. Particularly, the floor pan 18 is disposed on top of the second wall 184 and the second wall 184 is linearly co-extensive to the edge 187 of the floor plan 18. Specifically,

such attachment may be made by use of a welded type connection or by substantially any other desired connection methodology. Further, the wall 182 is selectively coupled to the front wall 20 and such connection may be made by the use of a welded connection or by substantially any other desired connection technique or methodology. Further, the member 180 includes a third wall 190 which orthogonally projects from the wall 182 in the opposite direction of wall 184 and is selectively attached to a vehicular frame member 191 [(not shown)] by the use of bolts 185 or other devices or mechanisms, effective to couple the front wall 20 and the floor pan 18 to a vehicle in a secure manner. Importantly, member 180 securely couples front wall 20 to a vehicle's frame (not shown) while permitting the corrugated front wall 20 and floor pan 18 to interlock in the manner discussed above and "rigidize" the vehicular bed 10 assembly (i.e., providing a rigid vehicle bed assembly 10).

Marked up version of paragraph 19 of the specification

As shown best in Figures 2 and 3, the vehicle bed assembly 10 further includes a top rail bracket or member 210 which comprises a generally elongated and generally hollow member having a general "C" shaped cross sectional area and which has an elbow or trough 211 which receives the exposed top portion 212 of the front wall 20 and which includes an undersurface 213 which is attached, by the use of a welded connection or another connection methodology, to the top edges 217 of the beads 19 of the front wall 20. The bracket 210 further includes a pair of opposed and substantially identical apertures 214, 216, each of which selectively receives a unique one of the threaded bolts 124 of end cap members 122. A nut 220 is selectively attached to each of the threaded

bolts 124 which protrude through an opening 214, 216, thereby securing the top rails 100 to the member 210. The member 210 may be selectively attached to a frame portion 191 ~~191~~ 191 [(not shown)] of the vehicle 12. In this manner, each end cap member 122 selectively attaches a unique one of the rails 100 to the top rail bracket 210 and selectively attaches a unique one of the side walls 14, 16 to the front wall 20 (e.g., in a non-limiting embodiment, the top rails 100 may be directly coupled to the front wall 20).

Marked up versions of the Abstract

A vehicle bed assembly 10 [having] has a floor pan 18, a front wall 20, and substantially identical side walls 14, 16. The front wall 20 and the side walls 14, 16 are coupled to the floor pan 18. The vehicle bed assembly 10 further includes a rear wall 22 which is deployed upon a tailgate 21 which is selectively coupled to the floor pan 18, and a pair of substantially identical top rail members 100 which overlay and receive a unique one of the side walls 14, 16 and a bracket 210 which overlays and receives the front wall 20 and which is coupled to the top rail member 100 by a pair of end cap members 122. Particularly, the end cap members 122 and the top rail members 100 cooperatively provide a direct load path from any location on each of the side walls 14, 16 to the bracket 210 which may be coupled to a portion of the vehicle 12, thereby reducing the likelihood of damage to the side walls 14, 16 and the front wall 20. The assembly 10 may further include reception members 38, 40, 42, 44 which allow a raised platform to be constructed or placed within the vehicle bed assembly 10, and stake pockets 26, 28, 30 and 32.

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"MARKED UP" VERSIONS OF AMENDED CLAIMS

Claim 1 "marked up" version

A vehicle bed assembly comprising a front panel; a first side panel; a second side panel; a floor panel which is coupled to said first and to said second side [panel] panels and which is further coupled to said front panel; a first rail which receives and which is linearly coextensive to said first side panel, said first rail coupling said first side panel to said front panel; and a second rail which is substantially identical to said first rail and which receives and which is linearly coextensive to said second side panel, said second rail coupling said second side panel to said front panel.

Claim 3 "marked up" version

The vehicle bed assembly of Claim 2 wherein each of said first and second rails respectively includes a generally flat top portion and two generally opposed side surfaces and wherein said end cap member is coupled to said generally flat top portion and to only one of said two generally [flat and] opposed side surfaces of said first rail.

Claim 14 "marked up" version

A method for constructing a vehicle bed assembly, said method comprising the steps of:

providing a floor pan;

providing a front panel;

providing a first side panel;

providing a second side panel;

providing a tail gate;
coupling said front panel to said floor pan;
coupling said first side panel to said floor pan;
coupling said second side panel to said floor pan;
coupling said tail gate to said floor pan;
providing a direct load path from any location on said first side panel to a frame
portion of a vehicle; and
providing a direct load path from any location on said second side panel to said
frame portion of said vehicle, thereby forming said vehicle bed assembly;

[The method of Claim 13] wherein said step of providing a direct load path from any location on said first side panel to a frame portion of said vehicle comprises the steps of[:] providing a first rail; coupling said first rail to said first side panel; providing a bracket; coupling said bracket to said front panel; coupling said first rail to said bracket; and coupling said bracket to said frame portion of said vehicle.

Claim 15 "marked up" version

The method of Claim 14 wherein said step of providing a direct load path from any location on said second side panel to said frame portion of said vehicle comprises the steps of:

providing a second rail which is substantially identical to said first rail;
coupling said second rail to said second side panel; and
coupling said second rail to said bracket.

Claim 18 "marked up" version

The method of Claim 17 further comprising the steps of:

providing a Z-shaped bracket;

coupling said Z-shaped bracket to [a second] said frame portion of said vehicle;

and

coupling said Z-shaped bracket to said front panel.

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8

I hereby certify that the foregoing Amendment and Response to Office Action is being deposited with the United States Postal Service in an envelope as First Class Mail addressed to the Assistant Commissioner for Patents and Trademarks, Washington, DC 20231 on this 9th day of February 2003.

By: _____

Steve Clemmons